AO 440 (Rev. 8/01) Summons in a Civil Action

UNITED STATES DISTRICT COURT

District of _____Delaware_____

DAVID H. TERHUNE,

V.

APPLIED EXTRUSION TECHNOLOGIES, INC.
AND JACKSON CRAIG
AND TERRY SMITH

SUMMONS IN A CIVIL CASE

CASE NUMBER: 06-360

TO: (Name and address of Defendant)

>   Terry Smith
>   c/o Applied Extrusion Technologies, Inc.
>   15 Read's Way
>   New Castle, DE 19720

YOU ARE HEREBY SUMMONED and required to serve on PLAINTIFF'S ATTORNEY (name and address)

>   James S. Green, Esq.
>   Seitz, Van Ogtrop & Green, P.A.
>   222 Delaware Avenue, Suite 1500
>   P. O. Box 68
>   Wilmington, DE 19899

an answer to the complaint which is served on you with this summons, within TWENTY (20) days after service of this summons on you, exclusive of the day of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the complaint. Any answer that you serve on the parties to this action must be filed with the Clerk of this Court within a reasonable period of time after service.

PETER T. DALLEO   5-31-06

_____   _____
CLERK   DATE

Betty D. Cumi

(By) DEPUTY CLERK

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RETURN OF SERVICE

Service of the Summons and complaint was made by me(1)	DATE 6/1/06
NAME OF SERVER (PPJNT) DENORRIS BRITT	TITLE SPECIAL PROCESS SERVER

Check one box below to indicate appropriate method of service

☒   Served personally upon the defendant. Place where served: <u>TERRY SMITH AT 15 READ'S WAY NEW CASTLE, DE</u>

☐   Left copies thereof at the defendant's dwelling house or usual place of abode with a person of suitable age and discretion then residing therein.
Name of person with whom the summons and complaint were left: _____

☐   Returned unexecuted: _____

☐   Other (specify): _____

STATEMENT OF SERVICE FEES

TRAVEL	SERVICES	TOTAL

DECLARATION OF SERVER

I declare under penalty of perjury under the laws of the United States of America that the foregoing information contained in the Return of Service and Statement of Service Fees is true and correct.

Executed on <u>6/1/06</u>
          Date

_____
Signature of Server
BRANDYWINE PROCESS SERVERS, LTD.
P.O. BOX 1360
WILMINGTON, DE 19899-1360
302- 475-2600

(1) As to who may serve a summons see Rule 4 ofthe Federal Rules of Civil Procedure.